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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**  
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8 KEVIN TYRONE RUFFIN,

9 *Petitioner,*

10 vs.

11 DIRECTOR, NEVADA DEPARTMENT  
12 OF CORRECTIONS, *et al.,*

13 *Respondents.*

2:07-cv-00721-RLH-PAL

ORDER

14  
15 Following upon the setting of an evidentiary hearing in this matter for **10:00 a.m.** on  
16 **Monday, September 26, 2011**, in **Courtroom 6C** at the Lloyd D. George Federal  
17 Courthouse, 333 Las Vegas Boulevard South, Las Vegas, Nevada, on the merits of the claims  
18 remaining before the Court,

19 IT IS ORDERED that counsel shall complete the following pre-hearing procedures:

- 20 1. ***Exchange of Preliminary Witness and Exhibit Lists and***  
21 ***Stipulations.*** No later than **twenty-eight (28) days** prior to the  
22 hearing, counsel shall confer together either in person or by  
23 telephone and shall exchange preliminary exhibit and witness  
24 lists, exchange (either in person or via mail or fax) any exhibits  
25 not already possessed by opposing counsel, and discuss  
26 stipulations as to authenticity and any evidentiary objections.  
27 2. ***Final Witness and Exhibit Lists and Evidentiary Objections.***  
28 No later than **twenty (20) days** prior to the hearing, *i.e.*,  
**September 6, 2011**, in this instance, counsel shall jointly file a


1 consolidated final list of the witnesses and exhibits to be offered  
2 jointly and/or by each party and which shall further identify any  
3 evidentiary objections that may be anticipated in advance of the  
4 hearing. No party will be allowed to introduce over objection any  
5 witness or exhibit not listed in the final witness and exhibit list,  
6 except that a party may file a supplement no later than **fourteen**  
7 **(14) days** prior to the hearing listing evidence in response to any  
8 witness or exhibit identified for the first time in the final list. No  
9 evidentiary objection that may be anticipated in advance of the  
10 hearing will be preserved unless raised in the final list.

11 3. ***Prisoner Transport Order.*** No later than **fourteen (14) days**  
12 prior to the hearing, petitioner's counsel shall submit an order to  
13 transport prisoner to secure petitioner's presence at the hearing;  
14 and any party wishing to call any other prisoner to testify similarly  
15 shall submit an order to transport prisoner by that date. No  
16 continuance will be granted for failure to secure the attendance  
17 of the petitioner or any other prisoner unless an order to transport  
18 prisoner was timely sought..

19 4. ***Interpreter(s).*** No later than **fourteen (14) days** prior to the  
20 hearing, counsel shall notify the Courtroom Deputy if an  
21 interpreter or interpreters will be necessary for any party and/or  
22 any witness(es) and shall consult with the Courtroom Deputy as  
23 to any additional steps that need to be taken as to same.

24 5. ***Pre-hearing Memoranda.*** No later than **seven (7) calendar**  
25 **days** prior to the hearing, counsel for petitioner and for  
26 respondents each shall file a pre-hearing memorandum setting  
27 forth the evidence that they expect to present at the hearing  
28 together with brief legal argument placing the evidence in context.

The Court anticipates that the hearing will take no more than a day to complete. If, in the course of their preparation, either counsel comes to the conclusion that more than four hours will be necessary to present their respective side of the case, counsel shall promptly advise the Courtroom Deputy and opposing counsel.

  
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ROGER L. HUNT  
United States District Judge